

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FORMAL PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	
TREATMENT OF ITS SPECIAL SERVICE CONTRACT)	CASE NO. 90-217
FOR ORIGINATING STATION IDENTIFICATION)	
WITH THE GENERAL SERVICES ADMINISTRATION)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell"), filed July 3, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data developed in connection with a Special Service Arrangement Contract with the General Services Administration ("GSA") for Originating Station Identification on the grounds that public disclosure is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

In this proceeding South Central Bell seeks approval of a contract arrangement with GSA for Originating Station Identification ("OSI"). OSI is needed for the FTS-2000 Network Access Line. South Central Bell seeks to protect as confidential the cost support data developed in connection with the contract on the grounds that competitors could use this information to South Central Bell's disadvantage.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know

and act upon it. South Central Bell seeks to preserve the confidentiality of this information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

Since this contract provides information for OSI which can be provisioned through comparable PBXs, disclosure of the cost data could give competitors information which would allow them to more readily compete with South Central Bell services by knowing South Central Bell's costs, as well as contribution for the service. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The cost support data developed in connection with a Special Service Arrangement Contract with GSA for Originating Station Identification, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

2. To the extent that it has not already done so, South Central Bell shall, within 10 days of the date of this Order, file an edited copy of the contract with the confidential material obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 14th day of August, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director